City of Fontana

8353 Sierra Avenue Fontana, CA 92335



Minutes

Tuesday, October 26, 2021 7:00 PM

Grover W. Taylor Council Chambers

City Council Meeting

Acquanetta Warren - Mayor
Phillip W. Cothran - Mayor Pro Tem
John B. Roberts - Council Member
Jesus "Jesse" Sandoval - Council Member
Peter A. Garcia - Council Member
Tonia Lewis - City Clerk
Janet Koehler-Brooks - City Treasurer

WORKSHOP:

A. 5:00 P.M. City Council Workshop

The City Council workshop on Tuesday, October 26, 2021, convened at 5:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California. Mayor Warren called the meeting to order with Council Members Garcia, Roberts and Sandoval present.

Mayor Pro Tem Cothran was absent.

The City Council Regular meeting agenda was reviewed and there were no City Manager comments.

The following individuals spoke under public communications:

Ana Gonzalez spoke on concerns of scheduled timing of public hearings and concerns of the redistricting process within Fontana.

Elizabeth Sena spoke on concerns of remaining with four districts for the community and ensuring that fair representation is shown during this current redistricting process.

Amparo Munoz spoke on concerns of the current redistricting process and requests that the Council reconsider expanding the districts into seven, rather than remaining with the current four districts.

Senior Administrative Analyst Evelyne Ssenkoloto noted for the record that the City Clerk's Office received four written correspondences related to this workshop and such correspondences will be forwarded to the Mayor and City Council as well as kept with the final record.

City Attorney Ruben Duran provided a brief presentation of the redistricting process after the public communications were received. City Attorney Duran went over the redistricting process, project timeline and next steps and hearings; noting that this is the second Public Hearing of the required four hearings. This public hearing allowed the public the opportunity to provide comments regarding the districts and their neighborhoods and communities of interest. The final map must be approved by the Council and submitted to the San Bernardino County Registrar of Voters no later than April 17, 2022.

Council Member Sandoval asked if the future public hearing meetings regarding redistricting are to be held at a later time to allow members of the public to attend after their work hours.

Mayor Warren noted that the future two public hearings should be taken during our public hearing items on our regular agendas so that it allots for additional public to attend the meeting that begins at 7:00 p.m. In addition, made note that the entire City Council is available for conversation with the public at any time in regards to this redistricting process, if they are unable to attend a public hearing.

Council Member Garcia inquired about the mapping tool logistics. City Attorney Duran clarified that the mapping tool will be very user friendly once launched. In addition, noted that the City Clerk's Office will be sure to make a public announcement once the mapping

tool is available for public access.

Due to the remaining time allotted for the workshop, Mayor Warren asked Interim City Manager Shannon Yauchtzee to provide a quick overview of his first week on the job.

The Workshop adjourned at 5:40 p.m.

21-830

CLOSED SESSION:

A. 6:00 P.M. CLOSED SESSION

A Closed Session was held in the Executive Conference Room at 6:00 p.m. located at 8353 Sierra Avenue, Fontana, California, with Mayor Warren, Council Members Garcia, Roberts, and Sandoval present.

Mayor Pro Tem Cothran was absent.

PUBLIC COMMUNICATION - CLOSED SESSION:

A. Public Communications - Closed Session

There were no public communications received on the following Closed Session Items:

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO

GOVERNMENT CODE SECTION 54957.6

City Negotiator: Shannon Yauchzee, Interim City Manager and Rakesha Thomas,

Director of Human Resources and Risk Management

Employee Organization(s): Teamsters Local 1932 City Hall Bargaining Unit;

Teamsters Local 1932 Yard Bargaining Unit; Police Management Association;

Police Benefits Association; and Management/Confidential Employees

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a)

Case: Jorge Velasquez vs. City of Fontana Workers' Compensation

Claim Numbers: 170800089; 191100050 and 200200061 Cumulative Trauma

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section

54956.9: One potential case

21-850

CALL TO ORDER/ROLL CALL:

A. 7:00 P.M. Call To Order/Roll Call:

The Regular meeting of the Fontana City Council was held concurrently with the Fontana Housing Authority and the Fontana Fire Protection District meeting. The meetings took place in the Grover W. Taylor Council Chambers, 8353 Sierra Avenue, Fontana, California on Tuesday, October 26, 2021. Mayor Warren called the meeting to order at 7:03 p.m.

ROLL CALL:

Present: Mayor Warren, Council Members Garcia, Roberts, and Sandoval

Absent: Mayor Pro Tem Cothran

INVOCATION/PLEDGE OF ALLEGIANCE:

A. Invocation led by Fontana Police Department Chaplain Victor Nolen / Pledge of Allegiance:

Following the invocation led by Fontana Police Department Chaplain Victor Nolen, the pledge of allegiance was led by Council Member Roberts.

CLOSED SESSION ANNOUNCEMENT

City Attorney Duran announced that the City Clerk's Office received two additional written correspondences for the redistricting workshop and both correspondences have been provided to the Mayor and Council, as well as included in the final record.

City Attorney Duran noted that the Mayor and City Council met in closed session on the three items listed on the agenda and took no reportable action.

PROCLAMATION:

A. Proclamation

21-881

A. Mayor Warren and City Council to Proclaim the Month of October as Breast Cancer Awareness Month (Mayor Warren to present).

Mayor Warren and the City Council presented the Breast Cancer Awareness proclamation to Matthew Hernandez, representative of Relay for Life.

SPECIAL PRESENTATIONS:

A. Special Presentations

Police Department September 2021 Employees of the Month

21-963

Mayor Warren and City Council to recognize Corporal Edward Stewart, Officers Paul Beltran, Michael Bernath, Andrew Hackett, Joshua Nassar, Samuel Saenz, Justin Summers and Community Service Officers Brianna Chairez, Autumn Hubbard, Marcela Javier, Adrianna Manning and Bethany Martinez as the Police Department's September 2021 Employees of the Month (Captain Burton to present).

Fontana Police Chief Billy Green recognized Corporal Edward Stewart, Officers Paul Beltran, Michael Bernath, Andrew Hackett, Joshua Nassar, Samuel Saenz, Justin Summers and Community Service Officers Brianna Chairez, Autumn Hubbard, Marcela Javier, Adrianna Manning, and Bethany Martinez as the Police Department September 2021 Employees of the Month.

PUBLIC COMMUNICATIONS:

A. Public Communications

The following individual spoke under public communications:

Elizabeth Sena thanked the Fontana Police Department for going to Kaiser High School to discuss traffic concerns; announced her recent interviews and tours of her neighborhoods and the effects that traffic; encourages the Council to have a more forward thinking model; and voiced concerns of having public participation at public meetings being required to be in-person, hoping that the Mayor and City Council will allow a virtual option in the near future.

CONSENT CALENDAR:

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Garcia, and passed by a vote of 4-0 to adopt Consent Calendar Items "A-K". The motion carried by the following vote: AYES: Warren, Garcia, Roberts, and Sandoval; NOES: None; ABSENT: Cothran.

- A. Approval of Minutes

 Approve the minutes of the October 12, 2021, Regular City Council Meeting.
- B. Approve Encroachment Agreement with Crown Castle Fiber, LLC

 Approve and authorize the City Manager to execute the Encroachment
 Agreement with Crown Castle Fiber, LLC
- C. Purchase and installation of Artificial Turf, Restroom/Concession and Storage Buildings, Playground Equipment and Shade Structures and purchase of material only of Fitness Equipment and Musco Lighting for South Fontana Park Project
 - Approve and authorize the Purchasing Office to "Piggy-Back" from the California Multiple Award Schedule (CMAS) for the purchase of the following for South Fontana Park project:
 - a. FieldTurf USA, Inc. in the amount of \$1,707,212.00 for the purchase and installation of artificial turf and authorize a 10% construction contingency in the amount of \$170,721.20
 - b. Landscape Structures, Inc. in the amount of \$433,172.61 for the purchase and installation of playground equipment and authorize a 10% construction contingency in the amount of \$43,317.26
 - c. Romtec, Inc. in the amount of \$1,298,414.52 for the purchase and installation of a new restroom/concession and storage buildings and authorize a construction contingency in the amount of

\$129,841.45.

- d. Greenfields Outdoor Fitness in the amount of \$92,417.43 for the purchase of exercise/fitness equipment and authorize a 10% construction contingency in the amount of \$9,241.74
- 2. Approve and authorize the Purchasing Office to "Piggy-Back" from the Sourcewell contract for the purchase of the following for South Fontana Park project:
 - a. USA Shade & Fabric Structures in the amount of \$948,440.00 for the purchase and installation of shade structures and authorize a 10% construction contingency in the amount of \$94,844.00
 - b. Musco Lighting in the amount of \$717,000 for the purchase of sports field lighting and authorize a 10% construction contingency in the amount of \$71,700.00
- **D.** Final Acceptance of Subdivision Improvements for Tract No.'s 18894 and 20132
 - 1. Accept as complete the Subdivision Improvements for Tract No.'s 18894 and 20132 located north of Arrow Boulevard and east of Tamarind Avenue.
 - 2. Adopt **Resolution No. 2021-107**, accepting sewers in Tract No.'s 18894 and 20132 as part of the City sewer system.
- E. Final Acceptance of Subdivision Improvements for Tract Map No. 21-937
 - 1. Accept as complete the Subdivision Improvements for Tract No. 17317 located on the southeast corner of Citrus Avenue and Walnut Street.
 - 2. Adopt **Resolution No. 2021-108**, accepting sewers in Tract No. 17317, as part of the City sewer system.
- F. New Athletic Field Tiered Fee Proposal

 Review, Discuss and Approve the Proposed Athletic Field Permit Process and User Fees.
- **G.** Police Department Monthly Information Update

 Accept the Police Department monthly information update for September 2021.
- H. CalHome Program Notice of Available Funding and Application
 Resolution
 - Adopt Resolution No. 2021-109 authorizing the submittal of a \$500,000 application to the California State Department of Housing and Community Development (HCD) for funding provided under the CalHome Program Notice of Available Funding (NOFA).
 - 2. Authorize the City Manager to execute any documents necessary or appropriate to complete said application.
- I. <u>21-967</u>
- J. OPEB/Pension 115 Trust Funding <u>21-989</u>

Advisory Group LLC, Charles Schwab Trust Bank, and Alta Trust Company to create 115 trust accounts for the funding of Future OPEB Liabilities and Pension Funding for Future Obligations and have Shuster provide professional investment advisory services for the investment portfolios.

K. Fiscal Year 2021/22 First Quarter Budget Status Report

21-983

- Approve the recommended Fiscal Year 2021/2022 First Quarter Budget adjustments
- Adopt Resolution No. 2021- 110 of the City Council of the City of Fontana adopting revised job descriptions for specific classifications throughout the City
- 3. Adopt **Resolution No. 2021 -111** of the City Council of the City of Fontana adopting the updated job description and salary range for the classification of Police Communications Supervisor and the updated Management Confidential Salary Table

PUBLIC HEARINGS:

A. Public Hearing and adoption of HUD ESG-CV Substantial Amendment

21-884

Mayor Warren opened the public hearing.

Housing Department Project Specialist Mary Aguilar provided the staff report.

There were no public communications received on this item.

Mayor Warren closed the public hearing.

ACTION: Motion was made by Council Member Garcia, seconded by Council Member Roberts, and passed by a vote of 4-0 to adopt this Public Hearing Item "A" as follows:

- 1. Adopt the draft Substantial Amendment to the CDBG-CV and ESG-CV Action Plan;
- 2. Authorize the City Manager to execute and transmit any documents necessary or desirable to ensure the City's timely receipt of Community Development Block Grant-CARES Act (CDBG-CV) and Emergency Solutions Grant-CARES Act (ESG-CV) funding.

The motion carried by the following vote: (AYES: Warren, Garcia, Roberts, and Sandoval; NOES: None; ABSENT: Cothran).

B. Appeal No. 21-004: A request for an appeal to overturn the Planning Commission's decision on August 17, 2021, approving Tentative Parcel Map No. 20235 (TPM No. 20-014) and Design

21-943

Review No. 20-019 for a new warehouse building totaling approximately 247,786 square foot including a maximum of two potential office/mezzanine space of approximately 4,000 square foot each, 34 warehouse dock doors, two ground level loading doors, 117 automobile parking spaces, and 50 trailer parking spaces. The building will have a maximum height of 42-foot. The site is located on the northeast corner of the intersection of Washington Drive and Redwood Avenue the Light Industrial (M-1) Zoning District within the City of Fontana.

Mayor Warren opened the public hearing.

John Dile, Project Planner and DiTanyon Johnson, Principal Planner provided the staff report.

Council Member Garcia thanked city staff for comparing the analysis for this appeal and identify the issues that were brought up with an accurate response to each concern.

The following individuals spoke in favor of this item:

Ana Gonzalez; Elizabeth Sena; Gabriela Mendez; Janet Bernabe; and Ben.

The following individuals spoke in opposition of this item:

Joel Velazquez; Ralph Velador; Joseph Quezada; Cesar Victorio; Doug McGilurm; Jayson Baiz; Jose Garcia; and Matt Slowik.

Mayor Warren closed the public hearing.

ACTION: Motion was made by Council Member Garcia, seconded by Council Member Roberts, and passed by a vote of 3-1 to adopt this Public Hearing Item "B" as follows:

Deny Appeal No. 21-004, and uphold the Planning Commission's decision on August 17, 2021, approving Tentative Parcel Map No. 20235 (TPM No. 20-014), and Design Review No. 20-019 to construct a new proposed warehouse building totaling approximately 247,786 square foot including a maximum of two potential office/mezzanine space of approximately 4,000 square foot each, 34 warehouse dock doors, two ground level loading doors, 117 automobile parking spaces, and 50 trailer parking spaces, and add additional voluntary Conditions of Approval.

The motion carried by the following vote: (AYES: Warren, Garcia, and Roberts; NOES: Sandoval; ABSENT: Cothran).

Public Hearing on Formation of Community Facilities District No. 107 (Highland) 21-969

Mayor Warren opened the public hearing.

Accounting Manager George Pirsko provided the staff report.

Mayor Warren closed the public hearing as there was no one who wished to speak on the item.

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Sandoval, and passed by a vote of 4-0 to adopt this Public Hearing Item "C" as follows:

- 1. Adopt Resolution No. 2021-112 of the City Council of the City of Fontana of formation of the City of Fontana Community Facilities District No.107 (Highland), authorizing the levy of a special tax within the community facilities district and establishing an appropriations limit for the community facilities district.
- 2. Adopt Resolution No. 2021-113 of the City Council of the City of Fontana deeming it necessary to incur bonded indebtedness within the City of Fontana Community Facilities District No.107 (Highland).
- 3. Adopt Resolution No. 2021-114 of the City Council of the City of Fontana calling special election for City of Fontana Community Facilities District No. 107 (Highland).

The motion carried by the following vote: (AYES: Warren, Garcia, Roberts, and Sandoval; NOES: None; ABSENT: Cothran).

Senior Administrative Analyst Evelyne Ssenkoloto opened the one received ballot and announced that it was in favor.

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Sandoval, and passed by a 4-0 vote to adopt as follows:

- 4. Adopt Resolution No. 2021-115 of the City Council of the City of Fontana declaring results of special election and directing the recording of notice of special tax lien.
- 5. Read by title only and waive further reading of and introduce Ordinance No. 1875 levying special taxes within the City of Fontana Community Facilities District No. 107 (Highland); and that the reading of the title constitutes the first reading thereof.

6. Adopt Resolution No. 2021-116 of the City Council of the City of Fontana authorizing the execution and delivery of a Letter of Credit Agreement and an Acquisition and Funding Agreement.

The motion carried by the following vote: (AYES: Warren, Garcia, Roberts, and Sandoval; NOES: None; ABSENT: Cothran).

D. Hearing for the Consideration of a Resolution of Necessity to Acquire Permanent Street Easement and Temporary Construction Easement Interests in Certain Real Property Located in the City of Fontana, San Bernardino County, California, More Particularly Described as Assessor Parcel Nos. 0239-081-23, 0239-081-24, and 0239-151-18, by Eminent Domain, for the Duncan Canyon Road Project 21-979

Mayor Warren opened the public hearing.

Senior Engineer Ricardo Garay provided the staff report.

Mayor Warren closed the public hearing as there was no one who wished to speak on the item.

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Garcia, and passed by a vote of 4-0 to adopt this Public Hearing Item "D" as follows:

- 1. Conduct a public hearing to consider the adoption of a proposed Resolution of Necessity, including providing all interested parties of the affected property, their attorneys or their representatives an opportunity to be heard on the issues relevant to the resolution of necessity.
- 2. Make the following findings as hereinafter described in this report:
- (a) The public interest and necessity require the proposed project;
- (b) The proposed project is planned or located in the manner that will be most compatible with the greatest public good and least private injury;
- (c) The real property described in Exhibits A and B are necessary for the proposed project;
- (d) The offers required by section 7267.2 of the California Government Code were made; and
- (e) The public use for which the property sought to be acquired and described in the Resolution of Necessity is a more necessary public use than the use to which the property is appropriated.
- 3. Adopt Resolution No. 2021-117 Resolution of Necessity by the City Council of the City of Fontana, declaring that the acquisition permanent

street easements and temporary construction easement interests in certain real property located in the City of Fontana, San Bernardino County, California, more particularly described as Assessor Parcel Nos. 0239-081-23, 0239-081-24, and 0239-151-18, by eminent domain, are necessary for street widening and related public infrastructure improvements to Duncan Canyon Road (intersection of Sierra Avenue and Duncan Canyon Road) for the Duncan Canyon Road Widening Project, in the City of Fontana, San Bernardino County, California.

The motion carried by the following vote: (AYES: Warren, Garcia, Roberts, and Sandoval; NOES: None; ABSENT: Cothran).

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

Interim City Manager Shannon Yauchtzee announced the next public hearing for the redistricting process will take place on January 25, 2022.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Reports

Council Member Roberts addressed some of the public comments made in relation to District Four and encouraged residents to contact him directly on any concerns or questions they may have so that he can best address those issues both on and off the dais.

Council Member Sandoval inquired about past discussion on sidewalk maintenance with San Bernardino County; advised staff that some of the softball fields throughout the City are in need of maintenance and asked Interim City Manager Yauchzee to ensure that once the fields are ready for renovations, that we alert the leagues and public ahead of time as to not conflict with sport seasons; and asked staff for clarification on when the public speaker will be shown on the screen verses not.

Council Member Sandoval raised concern of the Mayor's script that is read prior to public comment, stating that the wording in the passage feels discriminatory against the public based off the allowance of public applause; raised concern of inclusivity for those in the American Sign Language (ASL) community; and requested staff to clarify the legality of such requirements.

Council Member Garcia congratulated the September 2021 Employees of the Month from the Police Department; and recognized one of the Fontana Police Department Officers who went above and beyond the call of duty when recently delivering a Uber Eats order that was delayed due to an arrest.

Mayor Warren responded to a comment made by Council Member Sandoval; clarified that as Mayor there is a duty to ensure that the meeting runs smoothly and respectfully; announced recent acceptance in the Southern California Water Coalition; talked about surge in delivery delays; reminded the public to continue to practice safety as we lead into the holidays; discussed recent visit at the Dolores Huerta International Academy; and recognized City staff for all their hard work and caring for the community.

Mayor Warren closed in thanking the public for being patient and understanding with both the City Council and the City staff.

ADJOURNMENT:

A. Adjournment

The meeting adjourned at 9:04 p.m. to the next Regular City Council Meeting on Tuesday, November 9, 2021, at 7:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

DocuSigned by:	
Asliton Gout	
8B1D2C1FCD65462	
Ashton R. Gout, CMC	
Deputy City Clerk	

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 14TH DAY OF DECEMBER 2021.

DocuSigned by:	
toni Lewis	
C790743318624ED	
Tonia Lewis	
City Clerk	

Certificate Of Completion

Envelope Id: CF1992B0308D4608827C5D2C9A90F45D

Subject: Please DocuSign: Minutes - 10.26.2021.pdf

Source Envelope:

Document Pages: 14 Signatures: 2 **Envelope Originator:** City Clerk

Certificate Pages: 5 Initials: 0

AutoNav: Enabled

Envelopeld Stamping: Enabled

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

8353 Sierra Avenue Fontana, CA 92335 clerks@fontana.org

IP Address: 192.146.186.96

Sent: 1/4/2022 | 12:03 PM

Status: Completed

Record Tracking

Status: Original Holder: City Clerk Location: DocuSign

1/4/2022 | 11:55 AM clerks@fontana.org

Signer Events Signature **Timestamp**

Ashton Gout agout@fontana.org

Security Level: Email, Account Authentication

(None)

DocuSigned by: Sent: 1/4/2022 | 11:55 AM ashton Gout Viewed: 1/4/2022 | 12:02 PM 8B1D2C1ECD65462... Signed: 1/4/2022 | 12:03 PM

Signature Adoption: Pre-selected Style Using IP Address: 192.146.186.96

Electronic Record and Signature Disclosure:

Accepted: 1/4/2022 | 12:02 PM

ID: a5be57d1-a3a4-4794-8edb-b57c0aa541a9

Toni Lewis tlewis@fontana.org

Security Level: Email, Account Authentication

(None)

DocuSigned by: Toni Lewis

Signature Adoption: Pre-selected Style Using IP Address: 76.218.56.24

Signed using mobile

Electronic Record and Signature Disclosure:

Accepted: 1/4/2022 | 06:55 PM

In Person Signer Events

ID: 2136dc27-542b-40fa-865b-13d024618057

Viewed: 1/4/2022 | 06:55 PM C790743318624ED.. Signed: 1/4/2022 | 06:57 PM

Signature **Timestamp**

Editor Delivery Events Timestamp Status

Agent Delivery Events Status Timestamp

Intermediary Delivery Events Status Timestamp

Certified Delivery Events Status Timestamp

Timestamp Carbon Copy Events Status

COPIED

Evelyne Ssenkoloto essenkol@fontana.org

Security Level: Email, Account Authentication

(None)

Electronic Record and Signature Disclosure:

Accepted: 10/13/2021 | 04:17 PM

ID: e7145250-7347-428b-af51-3066469cc29f

Sent: 1/4/2022 | 06:57 PM

Carbon Copy Events

Kathy Kasinger

kkasinger@fontana.org

Records Coordinator

Security Level: Email, Account Authentication

(None)

Electronic Record and Signature Disclosure: Accepted: 12/2/2021 | 03:19 PM

ID: 0321d70c-ce1f-42a6-ac17-f732b9b386d3

Electronic Record and Signature Disclosure

Status Timestamp

> Sent: 1/4/2022 | 06:57 PM Viewed: 1/5/2022 | 08:52 AM

Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	1/4/2022 11:55 AM
Certified Delivered	Security Checked	1/4/2022 06:55 PM
Signing Complete	Security Checked	1/4/2022 06:57 PM
Completed	Security Checked	1/4/2022 06:57 PM
Payment Events	Status	Timestamps

COPIED

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, City of Fontana (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through your DocuSign, Inc. (DocuSign) Express user account. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the 'I agree' button at the bottom of this document.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. For such copies, as long as you are an authorized user of the DocuSign system you will have the ability to download and print any documents we send to you through your DocuSign user account for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your DocuSign user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact City of Fontana:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: ctejeda@fontana.org

To advise City of Fontana of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at ctejeda@fontana.org and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

To request paper copies from City of Fontana

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to ctejeda@fontana.org and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with City of Fontana

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may; ii. send us an e-mail to ctejeda@fontana.org and in the body of such request you must state your e-mail, full name, IS Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0,
	NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	
	•Allow per session cookies
	•Users accessing the internet behind a Proxy
	Server must enable HTTP 1.1 settings via
	proxy connection

^{**} These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

By checking the 'I Agree' box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC RECORD AND SIGNATURE DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify City of Fontana as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by City of Fontana during the course of my relationship with you.